

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA

Plaintiff,

v.

DARIYON MARTIN

Defendant.

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No. 4:20CR 417 RWS

DEFENDANT'S SENTENCING MEMORANDUM

Dariyon Martin first heard of Post Traumatic Stress Disorder, PTSD, when he was 17 and a counselor in the Missouri Department of Corrections mentioned to him that he may be suffering from it. “My brother was killed when I was 14, my best friend was killed at the bus stop when I was 13, another friend was killed when I was 17. It made me numb not care not care about life. Made me think you're supposed to die young.” Death by violence was a constant companion in his youth and young adulthood. “When my best friend died when was in jail and I kept telling them I was fine and I was used to death and it shouldn’t bother me. They told me at 17, I shouldn’t be used to death.”

He has had limited access to mental health services to cope with depression and anxiety that are the result of trauma. The possible diagnosis of PTSD came about after meeting with a counselor in the Missouri Department of Corrections. He had received the devastating news that his longtime girlfriend, Janise was murdered. He says they were together off and on since 2010. "She was my ex at the time but we were basically like best friends. She was working at Steak and Shake." Soon after, Dariyon's father, Daniel, was murdered. "My dad died a month before I came home. I was seeing a counselor every week before I came home but that was group. I have anxiety and stuff and I don't feel like being around crowds."

These deaths compounded the guilt he harbored over the death years before of his brother Keon. "I had my big brother's phone and was supposed to give it back to him and they went to a football game." Dariyon's brother was murdered after the game. "He wanted somebody to pick him up and they couldn't call and I feel like if he had his phone he wouldn't have died." He was extremely close to his brother and says he struggles with the loss every day. "I slept with him when we were little. Every night when I go to sleep I was looking at his empty bed and he was never coming back."

Growing up, Dariyon lived at times with his mother, at other times with his father and other times with a friend of the family. Dariyon's mother had an abusive boyfriend. Dariyon found it difficult to watch the abuse but could do nothing to stop it. "I never liked him. He used to put his hands on my mom. He didn't want us to have friends in the house. He used to try to fill her head with nonsense. Then when we tried to help her, he'd make us go back in our room. He tried to put his hands on me until when my dad got out of jail when I was in the 8th grade. When my daddy got out I ran away to live with him. He knew I didn't like my mom's boyfriend."

Dariyon's contact with his father was limited by his father incarceration. His father in jail most of Dariyon's life. He recalls that when his father was home they "boxed and played football." His father took him to football practice and games. "Then my daddy ended up going to jail, he was in the halfway house in and out." Dariyon lived with godmother at times who was good to him. "She paid me to clean the house helped me with school work, helped me with Spanish homework."

He returned to live with his mother but says, "My mom doesn't really show emotion when I was young. We didn't have a close relationship." His mother was focused on his little brothers and sisters and finding work and he

says, worrying about her abusive boyfriend. “She worked whenever she could he says she had different types of jobs fast food grocery stores Walmart sometimes two jobs at once. I slept in the basement sometimes, or sometimes all the boys shared a room, my aunt slept in my mom's room.”

With his father incarcerated and his mother working to provide a home, Dariyon was on his on a lot. I used to get in trouble to try to get her attention.” His relationship with his mother has improved. “Mom and I grew closer over the years We built a bond when I got locked up.”

It is difficult to assess the impact of untreated PTSD on a person. So many deaths at such a young age undoubtedly had a negative impact on Dariyon’s mental health. He says he participated in counseling with Preferred Family while probation, but it was of a general nature and didn’t focus specifically on the depression and numbness. The extreme nature of his trauma was not fully addressed in the basic counseling setting. He says he participated in counseling in the St. Louis County jail that was offered through a provider from Bridgeway Counseling. “I want to feel better.” He says he took medication to help with the anxiety and depression when he had access to it.

Dariyon says he began using marijuana after his brother was killed. “It calmed me down, made me think less about it. People look at me like I was strong. I was used to hiding my feelings. I guess I got that from my momma.” Later, he progressed to using prescription pills, Percocet in particular.

Dariyon Martin is 23 years old. He knows that using unprescribed medication is not a long-term solution to his problems and that he must continue to search for productive methods of managing his mental health. He is still young and if given the opportunity he will benefit from long term exploration of the traumatic events of his life to help him achieve a better life. A sentence at the lowest end of his advisory guideline range would be appropriate in this case.

Respectfully submitted,

/s/Felicia A. Jones

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ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that on January 1, 2022, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon Donald Boyce, Assistant United States Attorney.

/s/Felicia A. Jones

FELICIA A. JONES, #36456MO
Assistant Federal Public Defender